

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
MIDLAND-ODESSA DIVISION**

**TRUPORT LOGISTICS, LLC, A  
NEW JERSEY LIMITED  
LIABILITY COMPANY,  
*Plaintiff,***

**v.**

**ATC WEST TEXAS, LLC D/B/A  
PREMIER TRUCK GROUP OF  
ODESSA, A DELAWARE LIMITED  
LIABILITY COMPANY,  
*Defendant.***

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**MO:24-CV-00115-DC**

**ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court now considers the United States Magistrate Judge Ronald C. Griffin's report and recommendation<sup>1</sup> concerning Truport Logistics, LLC's motion to strike ATC West Texas, LLC's affirmative defenses.<sup>2</sup> Pursuant to 28 U.S.C. § 636 and Appendix C of the Local Rules of the United States District Court for the Western District of Texas, Judge Griffin issued his report and recommendation on September 5, 2024.<sup>3</sup> As of the date of this order, no party has filed objections to the report and recommendation.

Pursuant to 28 U.S.C. § 636(b), a party may serve and file specific, written objections to a magistrate judge's proposed findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure de

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<sup>1</sup> ECF No. 15.

<sup>2</sup> ECF No. 7.

<sup>3</sup> ECF No. 15.


novo review by the district court. When no objections are timely filed, a district court can review the magistrate's report and recommendation for clear error.<sup>4</sup>

Because no party filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the Report and Recommendation of the United States Magistrate Judge<sup>5</sup> is **ADOPTED**. Truport's motion to strike ATC West's affirmative defenses is **DENIED**.<sup>6</sup>

It is so **ORDERED**.

SIGNED this 20th day of September, 2024.

  
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DAVID COUNTS  
UNITED STATES DISTRICT JUDGE

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<sup>4</sup> See Fed. R. Civ. P. 72 advisory committee's note ("When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.").

<sup>5</sup> ECF No. 15.

<sup>6</sup> ECF No. 7.